

## **Testimony before the House Regulatory Reform Committee**

House Bill 5009, Sponsored by Representative Pete Lund  
Stephanie Carlisle, Legislative Aide, Representative Lund

Good Morning Chairman Crawford and Committee Members.

Thank you for having me here today to testify in support of House Bill 5009, introduced by Representative Lund.

First, I would like to provide you with some background information that led to the introduction of this bill.

**From January 2009 to May 2010** seniors in Representative Lund's district were playing weekly games of Texas Hold 'em at the Romeo Senior Center. Senior's paid \$5.00 each to play and all money collected was returned to the participants at the end of each session. Play was intended to be for the recreation and amusement of the participating seniors. Mr. Andy Mikloiche, a constituent of Representative Lund's was in charge of operating the weekly games.

**In early May 2010**, the new director of the Romeo Senior Center, Debbie Webber, contacted the Small Gaming Commission to verify the legality of the weekly Texas Hold 'em games. The Small Gaming Commission issued a verbal directive specifying that a "State Gambling License" would be necessary to continue the card playing for money, though the Center was given permission to play Euchre and Pinochle for money.

**On May 27, 2010** Texas Hold 'em play was suspended at the Senior Center. Mr. Mikloiche contacted Representative Lund and then Senator Sanborn for help in obtaining a waiver to resume play. Senator Sanborn's staff had already planned to meet with the Lottery Commission at the time and agreed to ask for a temporary waiver.

**In June 2010**, the request for a waiver was denied by the Commission and Senator Sanborn's staff was told that the only way the Senior Center could resume playing Texas Hold 'em for money would be through a change in statute. Senator Sanborn was serving his final term and would not be able to sponsor the legislation so Representative Lund agreed to sponsor the bill.

**In August 2010**, Kyle Kaminski from Senator Sanborn's staff petitioned the Lottery Commission for a 120-day temporary waiver to resume play as legislation was underway to change the law. This request was denied.

**In September 2010** Representative Lund introduced House Bill 6528. Unfortunately the bill was not acted on before the end of the legislative session. **This September** Representative Lund reintroduced this bill as House Bill 5009 and it has support from 82 senior centers across the state.

**House Bill 5009** amends the current exemption of Section 303a of the Michigan Penal Code for a "senior citizen housing facility" operated by a "group of residents of a senior citizen housing facility" to include a "senior citizen's center" operated by a "group of senior citizens."

The bill will extend a current exception to gambling laws that allows card playing at senior citizen housing facilities so that it would also apply to a senior citizen's center, provided that all of the following conditions are met:

**First**, the card playing is conducted solely for the amusement and recreation of the members and is not used for fund-raising. The number of guests cannot exceed the number of club members playing.

**Second**, only bona fide members and employees of the club may conduct the activity.

**Third**, the card playing must be conducted between the hours of 9:00 a.m. and midnight.

**Fourth**, players cannot bet more than 25 cents per bet.

**Fifth**, the winnings from any one hand of cards may not exceed \$5.

**And lastly**, except for winnings, revenue generated from the card playing is used for reasonable expenses incurred in conducting the card game, and no person is compensated for participating in the conduct of card playing.

Again, I thank you Mr. Chair and committee members for the opportunity to testify and I am happy to try and answer any questions you may have.

